



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
KENNETH T. LAWSON, L.P.N.	:	FINAL ORDER
License # 26NP06726700	:	OF DISCIPLINE
	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kenneth T. Lawson ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 30, 2013, Respondent completed and submitted online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial

renewal period of June 1, 2011 - May 31, 2013. Respondent answered "yes" and certified that answer by submitting the online application.

3. On November 15, 2014, the Board sent a letter of inquiry to Respondent's mailing address in Burlington, New Jersey, via regular and certified mail, requesting certain documents, including proof of having completed the required continuing education.

4. Respondent provided a partial response to the letter of inquiry, but failed to address or mention the issue of continuing education and failed to provide any proof of completion of continuing education.

5. On or about April 16, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 - May 31, 2015. Respondent answered "yes" and certified that answer by submitting the online application.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their

licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial periods of June 1, 2011 to May 31, 2013 and June 1, 2013 to May 31, 2015. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying his continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 19, 2015, provisionally suspending respondent's nursing license and imposing a reprimand and a \$250 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of

the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, furnishing documentation of completion of sixty (60) contact hours of nursing continuing education completed on May 27, 2015 and May 30, 2015, which is out of time for the 2011-2013 licensing cycle, and within time for the 2013-2015 licensing cycle. The Board found that respondent had thus satisfied his continuing education obligation for both the 2011-2013 and 2013-2015 licensing cycles. Thus, by the terms of the Provisional Order, suspension was no longer applicable. However, as all the submitted continuing education was completed in May of 2015, it was demonstrated that respondent had engaged in misrepresentation when he indicated on his 2013 renewal application that he would have completed all required continuing education by May 31, 2013. In addition, it was clearly demonstrated that respondent had failed to timely complete continuing education for the 2011-2013 licensing cycle, thereby violating the requirements of N.J.A.C. 13:37-5.3. (However,

respondent had timely completed required continuing education for the 2013-2015 licensing cycle, and therefore had not misrepresented on his 2015 renewal application with regard to continuing education.) Based upon the misrepresentation with respect to his 2013 renewal application, and his failure to timely complete continuing education for the 2011-2013 licensing cycle, the Board found that the reprimand for misrepresentation and the \$250 civil penalty for the violation of N.J.A.C. 13:37-5.3 were warranted.

ACCORDINGLY, IT IS on this 15th day of July, 2015,
ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on his 2013 license renewal application.

2. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education for the 2011-2013 licensing cycle. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to

the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*
Patricia Murphy, PhD, APN
Board President